

### **III. Remarks**

In the United States Patent and Trademark Office Examiner's Action dated February 26, 2007, the Examiner issued a restriction requirement between the following two sets of claims:

Group I, claim(s) 8–10, 13–17, 20 and 21 drawn to suspensions of particulate hydroxyapatite adsorbate particles and toothpastes containing same.

Group II, claim(s) 11, 12, 18, 19, drawn to methods for forming suspensions of hydroxyapatite adsorbate particles, comprising forming particulate hydroxyapatite by *in situ* precipitation in the presence of surfactants or protective colloids.

Applicants elect the Group I set of claims and request that the restriction requirement be traversed after further consideration of the requirement. To complete the election of the Group I set of claims, Applicants have amended the claims by withdrawing the Group II claims, 11, 12, 18 and 19.

Applicants thank the Examiner for making of record under the heading "Rejoinder Practice Reminder" the procedure available to Applicants to permit consideration for rejoinder of withdrawn process claims that depend upon or otherwise require all the limitations of allowable product claims. If, in further prosecution of the application, the product claims are found to be allowable, Applicants will seek rejoinder of the withdrawn process claims.

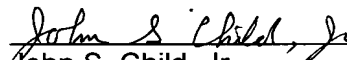
**IV. Conclusion**

It is believed that the above Amendment and Remarks constitute a complete response under 37 C.F.R. § 1.111 and that all bases of rejection in the Examiner's Action have been adequately rebutted or overcome. A Notice of Allowance in the next Office Action is, therefore, respectfully requested. The Examiner is requested to telephone the undersigned attorney if any matter that can be expected to be resolved in a telephone interview is believed to impede the allowance of pending claims 8-10, 13-17 and 20-21 of United States Patent Application Serial No. 09/868,379.

Respectfully submitted,

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